



## STAFF REPORT ACTION REQUIRED

### 34 – 38 Hazelton Avenue, Revised Alteration to a Designated Heritage Property

<b>Date:</b>	May 1, 2009
<b>To:</b>	Toronto Preservation Board Toronto and East York Community Council
<b>From:</b>	Director, Policy and Research, City Planning Division
<b>Wards:</b>	Toronto Centre – Ward 27
<b>Reference Number:</b>	

#### SUMMARY

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This report recommends refusal of a revised application to alter an individually listed and Part V designated heritage property at 34-38 Hazelton Avenue. The subject property is located on the west side of Hazelton Avenue between Yorkville and Webster Avenues and is occupied by a two storey over ground level former educational facility (St. Basil's School), constructed in 1928 in a Gothic revival architectural style. The structure was designed by Toronto architect J.M. Cowen.

The property is within the Yorkville Hazelton Heritage Conservation District (HCD) and therefore is designated under the Ontario Heritage Act per by-law 622-2002. In designating the district, Council also endorsed a set of Guidelines with regards to alterations, demolitions and new construction within the district. The structure at 34 Hazelton Avenue was individually listed on the City's Inventory of Heritage Properties February 2002. The property is specifically identified for its cultural heritage value.

On March 27, 2009, the Toronto Preservation Board considered the original eight storey application and recommended refusal of the application to alter the property at 34-38 Hazelton Avenue. Subsequently, a revised proposal was presented to Toronto and East York Community Council at its meeting of April 21, 2009, at which time the TEYCC requested that the revised proposal be considered by the Preservation Board at its May meeting.

Staff have reviewed the revised proposal and have concluded that it does not meet the intent of the Official Plan in protecting heritage resources. The proposed alterations would irreversibly damage the heritage character of the property and significantly alter

the streetscape of Hazelton Avenue. The proposal does not meet the Yorkville Hazelton Heritage Conservation District Guidelines and would negatively affect the Yorkville Hazelton Heritage Conservation District. The scale and nature of the revised proposed project are not appropriate and will damage the heritage character of the property and streetscape character of Hazelton Avenue. The development contravenes Parks Canada's *Standards and Guidelines for the Conservation of Historic Places in Canada* and would set a negative precedent for future decision making in the District. Staff recommends that the application be refused.

## **RECOMMENDATIONS**

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### **The City Planning Division recommends that:**

1. City Council refuse the revised application to alter 34-38 Hazelton Avenue made by the applicant; and
2. City Council authorize the City Solicitor and City Staff to attend the Ontario Municipal Board hearing, should Council refuse this application and the refusal be appealed to the Board.

### **Financial Impact**

There are no financial implications resulting from the adoption of this report.

## **DECISION HISTORY**

The applicant submitted applications on June 11, 2008 for an Official Plan and Zoning By-law Amendment (Application Number: 08 169177 STE 27 0Z).

On March 27, 2009, the Toronto Preservation Board considered the application and recommended refusal of the application to alter an individually listed and Part V designated heritage property at 34-38 Hazelton Avenue. The staff report on that application can be found at:

<http://www.toronto.ca/legdocs/mmis/2009/pb/bgrd/backgroundfile-19571.pdf>

At the April 21, 2009 meeting of the Toronto and East York Community Council, the applicant presented a revised application. The Toronto and East York Community Council requested that the revised proposal be forwarded to the Preservation Board for consideration at its May 21, 2009 meeting.

The property was included on the City of Toronto Inventory of Heritage Properties in February 2002 and was also designated under Part V of the Ontario Heritage Act as it is contained within the Yorkville-Hazelton Heritage Conservation District. The district designation was enacted by City Council on August 1, 2002 per by-law 622-2002.

In designating the district, Council also endorsed a set of Guidelines with regards to alterations, demolitions and new construction within the district.

## **ISSUE BACKGROUND**

In early 2006, a previous alteration project was approved by Council, adding one setback storey to the subject heritage building. Though the project proposed to demolish the interior portion of the structure, the character-defining features of the entire principal facade were retained and/or reconstructed with no alterations that further obscured or otherwise screened exterior cladding or architectural features of the building.

Importantly, the scale of the project was consistent with the two to four storey structures that extend along the Hazelton Avenue frontage. Thus, the previous project was, on balance, in conformance with the Guidelines as established for the Yorkville Hazelton HCD.

The current project increases considerably the scale and massing from that which was previously approved. The current project, even in its revised form as discussed below, cannot be considered as a modification of the 2006 approval.

The June 11, 2008 project scheme proposed a substantially more intensive alteration, with an additional floor level and further intervention at the building's front façade (i.e. removal of side bays with primary entries, metal cladding on heritage façade, etc) than that described in the previous staff report and the revised scheme discussed in this report.

The revised proposal, shown to the Toronto and East York Community Council at its April 21, 2009 meeting, is discussed below.

## **REVISED PROPOSAL**

The project has been revised since staff and the Toronto Preservation Board last considered the application. The project is similar to the previously reviewed proposal in that it proposes to substantially alter the existing heritage structure by removing exterior walls and the internal structural system and constructing a seven storey condominium building (six per applicant plans at front portion of building and seven floors per applicant plans at rear portion and per applicable standard measurement of floor height levels) with ground level commercial use, and an additional mechanical penthouse.

The front facade of the building would be retained and would be incorporated into the overall project. The height of the new structure would rise four storeys, excluding the rooftop penthouse, above the existing structure's height. The first three additional floors would be setback approximately seven metres from the most forward projecting (central) bay of the existing façade, with the top floor stepped back an additional seven metres.

The design of the structure at the front elevation still includes a sunken (below grade) forecourt to provide access to proposed non-residential uses at that floor level.

The previously reviewed project included a Heritage Impact Statement (HIS) prepared by ERA Architects, submitted June 23, 2008.

The revised project does not include a revised Heritage Impact Statement. However, Heritage Preservation Services has received a Planning Rationale Addendum, prepared by Bousfields Inc., submitted on April 28, 2009.

### **Revised Project Height**

Relative to the previously reviewed project, the revised project reduces the overall height of the structure from eight storeys with penthouse (approximately 33 metres) to seven storeys with penthouse (approximately 30 meters). Without penthouse, the project is reduced from 27.94 to 25.58 meters. The revised project excluding and including the rooftop penthouse increases the overall height of the building on the lot by 235% and 276% respectively.

### **Revised Project Front Step back**

Relative to the previously reviewed project, the revised project would further step back the following floor levels (those rising above the existing building height at the front elevation) as indicated:

4<sup>th</sup> floor (3<sup>rd</sup> per applicant plans): no further step back  
5<sup>th</sup> floor (4<sup>th</sup> per applicant plans): no further step back  
6<sup>th</sup> floor (5<sup>th</sup> per applicant plans): .25 metre step back  
7<sup>th</sup> floor (6<sup>th</sup> per applicant plans): approximately 7 metres  
Rooftop Penthouse : approximately 1.8 meters,

### **Revised Project Side Step back**

Relative to the previously reviewed project, the revised project would further step back the side building walls of the structure at the 6<sup>th</sup> level.

## **POLICY FRAMEWORK**

The applicable Policy Framework was outline in the previous report on this application. To summarize here, the following must be considered in evaluating the revised proposal.

### **Official Plan**

Section 3.1.5 of the City of Toronto Official Plan directs that significant heritage resources will be conserved. This direction is also contained in the Province's 2005 Provincial Policy Statement (2.6.1.) to with which all decisions of Council must be consistent.

### **Ontario Heritage Act**

Under Section 42 of the Ontario Heritage Act, an owner must obtain a permit from the municipality to alter a designated property in an HCD. If Council refuses the application the owner may appeal the decision to the Ontario Municipal Board.

### **Yorkville-Hazelton Heritage Conservation District Plan (YHHCD Plan)**

The YHHCD Plan was adopted by City Council to be used as a guide to manage property alteration and development with a view to the preservation of the existing architectural

character of the district and its streetscape. The Guidelines (Section 2.0) of the YHHCD Plan define the Heritage District Characteristics and set out standards in order to provide guidance to alterations and new development that will complement the existing character.

## **Standards and Guidelines for the Conservation of Historic Places in Canada**

On March 3, 4 and 5, 2008, City Council adopted Parks Canada's *Standards and Guidelines for the Conservation of Historic Places in Canada (Standards and Guidelines)* as the official document guiding planning, stewardship and conservation approach for all listed and designated heritage resources within the City.

<http://www.toronto.ca/legdocs/mmis/2008/cc/decisions/2008-03-03-cc17-dd.pdf>).

## **Community Consultation**

The revised application has not been subject to community consultation.

## **COMMENTS**

### **Description of Heritage Value**

#### **Architectural Character**

The subject property is occupied by a two storey over ground level former educational facility (St. Basil's School), constructed in 1928 in a Gothic revival architectural style. The structure was designed by Toronto architect J.M. Cowen. As noted earlier, the structure at 34 Hazelton Avenue is an individually listed structure (in addition to its designation under Part V of the Ontario Heritage Act). This listing predates the district designation and was adopted by Toronto City Council in February 2002. The property is specifically identified for its cultural heritage value.

The cultural value of the structure is related to its design or physical value as a representative example of Neo-Gothic style. This style is evident at the exterior walls and along the roofline, with particular attention to the principal (east) façade. Historic significance of the structure is reflected in the architectural practice of J.M. Cowan, who prepared plans for St. Basil's Separate School in his capacity as the official architect. Cultural value is also conveyed through its contextual significance in supporting the character of the HCD. With its scale and setback, the school building complements the low-scale appearance of the area.

#### **Streetscape Character**

St Basil's School at 34 Hazelton Avenue is a significant part of the neighbourhood of Yorkville and the streetscape of Hazelton Avenue. The building is a long standing reminder of the history of the Roman Catholic community in Toronto and is a nicely detailed example of a schoolhouse designed in the Collegiate Gothic style.

34-38 Hazelton is currently situated within a well-preserved mix of 19<sup>th</sup> century, Victorian housing types which were built together and share a similar relationship with the street. While St. Basil's school offsets the otherwise residential streetscape of Hazelton Avenue, its low scale and symmetric composition compliment the context of the neighbourhood and street.

The property, as part of the HCD, features salient attributes which contribute to the district's character, namely: a consistent relationship in scale, height, mass and materials with other structures (most other structures range from two to four stories in height along the Hazelton Avenue frontage) on the block face. Moreover, the structure reinforces the vernacular of Hazelton Avenue by relating to adjacent structures via similar street setback and faced rhythm.

### **Yorkville Hazelton HCD Guidelines**

The applicant did not provide a revised Heritage Impact Statement (HIS). However, a Planning Rationale Addendum, prepared by Bousfields Inc., was submitted on April 28, 2009. According to the Addendum, the revised project's building height will "fit into the surrounding built form and pattern of heights in the area".

The applicant's justification for the height, scale and form of the seven storey project with heritage podium appears to be grounded in a flawed assumption that the immediate design context for the addition to the heritage building includes buildings outside of the District. Heritage Conservation District boundaries are carefully considered and rationalized in initial studies to ensure the integrity of the district within its boundaries. Proposals that reference adjacent built forms outside the district inevitably compromise boundary adjacencies throughout any District. Decisions were made in the determination of the boundaries of this District that resulted in the omission of some of the higher density properties for exactly this reason.

In the absence of any revised HIS, staff have reviewed the revised proposal against the YHHCD and conclude that it does not meet the intent of the district plan or guidelines in a number of respects:

#### **Section 2.2 Additions to existing buildings**

The YHHCD guidelines provide that, "additions must be compatible with the character, scale and form of the existing building, while being clearly distinguishable from the original heritage building. The additions must not detract from or obscure the heritage features of the building."

The alteration of the property does not meet the criteria necessary to be compliant with applicable standards and guidelines that regulate such additions in the district.

### 2.2.2 Design, Form and Massing

“The style of the addition should be compatible with the mass, height, window and door openings, material and color of the existing building.” Essentially, additions should “be located at an inconspicuous elevation of the building to reduce visibility from the street and must not overwhelm the existing building.”

The height and scale of the project would impact the resource and district. While additional floor levels propose a modest step back, the overall project would be approximately 2.35 times the height of the existing heritage resource (excluding the roof penthouse) and would be highly visible along the public right of way within the HCD.

The three floor levels immediately above the existing heritage resource employ a step back from the front wall plane of the central projecting bay at the front elevation, as previously described. However, the mass of the new addition is not stepped back commensurately at the front elevation side bays. The top of these additional floor levels would approximately double the height of the existing heritage structure on the lot. The additional mass of the top floor level (7 metre step back) with penthouse would exacerbate this already considerable impact. The scale of the additional floor levels would be visible from points directly in front of the property, and from various vantages along public-rights-of-way within the district. The height, scale and mass of the revised project is not appropriate and would overwhelm the existing two to four storey building wall condition that currently exists along the street within the HCD.

In addition, the solid masonry foundation at the base would be substituted for an excavated forecourt level with extensive use of storefront glazing and limited architectural framing, thereby replacing a solid masonry base.

### 2.1.5 Cladding and Trim and 2.1.6 Foundations

“Alteration to original cladding and trim on principal elevations should be avoided. Replacement materials are to be the same or similar to the materials being replaced.”

The storefront design at the base of façade would utilize large surfaces of glass storefront with butt-jointed glazing) with minimal architectural framing visible from the street. This changes the foundation base from a solid connection that anchors the structure to the ground to one in which the building façade visually floats and is not an acceptable intervention.

## Standards and Guidelines

The project contravenes Parks Canada *Standards and Guidelines for the Conservation of Historic Places in Canada* in that the project, through removal of three walls and internal structure in conjunction with the added floor levels would:

- (1) not adopt a strategy of minimal intervention in order to conserve the structure’s heritage value; and,

- (2) not be subordinate to and nor conserve the heritage value of the heritage building in terms of scale and design. Rooftop additions should be set back from the front wall plane and be as inconspicuous as possible.

## **CONCLUSION**

The development is not consistent with the district guidelines and would negatively affect the Yorkville Hazelton Heritage Conservation District. The scale and nature of the revised proposed project are not appropriate and will damage the heritage character of the property and streetscape character of Hazelton Avenue. Moreover, the development would set a negative precedent for future decision making within the District. Staff recommends that City Council refuse the application.

## **CONTACT**

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## **SIGNATURE**

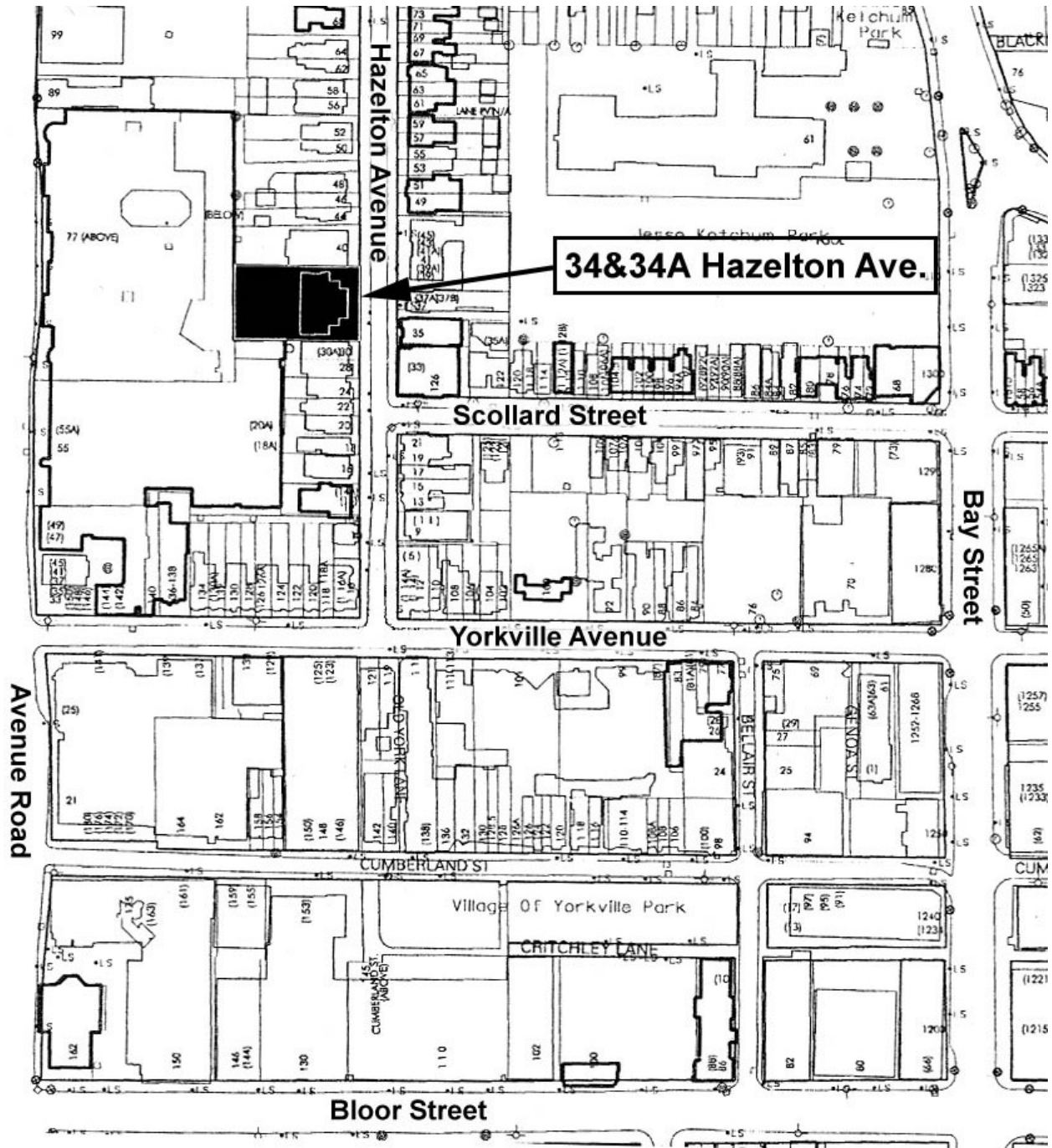
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Barbara Leonhardt  
Director, Policy & Research  
City Planning Division

## **ATTACHMENTS**

Attachment No.1 - Location Map  
Attachment No. 2 – Existing Structure Photos  
Attachment No. 3 – Previously Reviewed Project- Ground Floor Plan  
Attachment No. 4 – Revised Project- Ground Floor Plan  
Attachment No. 5 – Massing Study of Revised Project  
Attachment No. 6 – Previously Reviewed Project- Front Elevation  
Attachment No. 7 – Revised Project- Front Elevation  
Attachment No. 8 – Previously Reviewed Project- Side (North) Elevation  
Attachment No. 9 – Revised Project- Side (North) Elevation  
Attachment No. 10 – Previously Reviewed Project- Section  
Attachment No. 11 – Revised Project- Section





This location map is for information purposes only.  
The exact boundaries of the property are not shown



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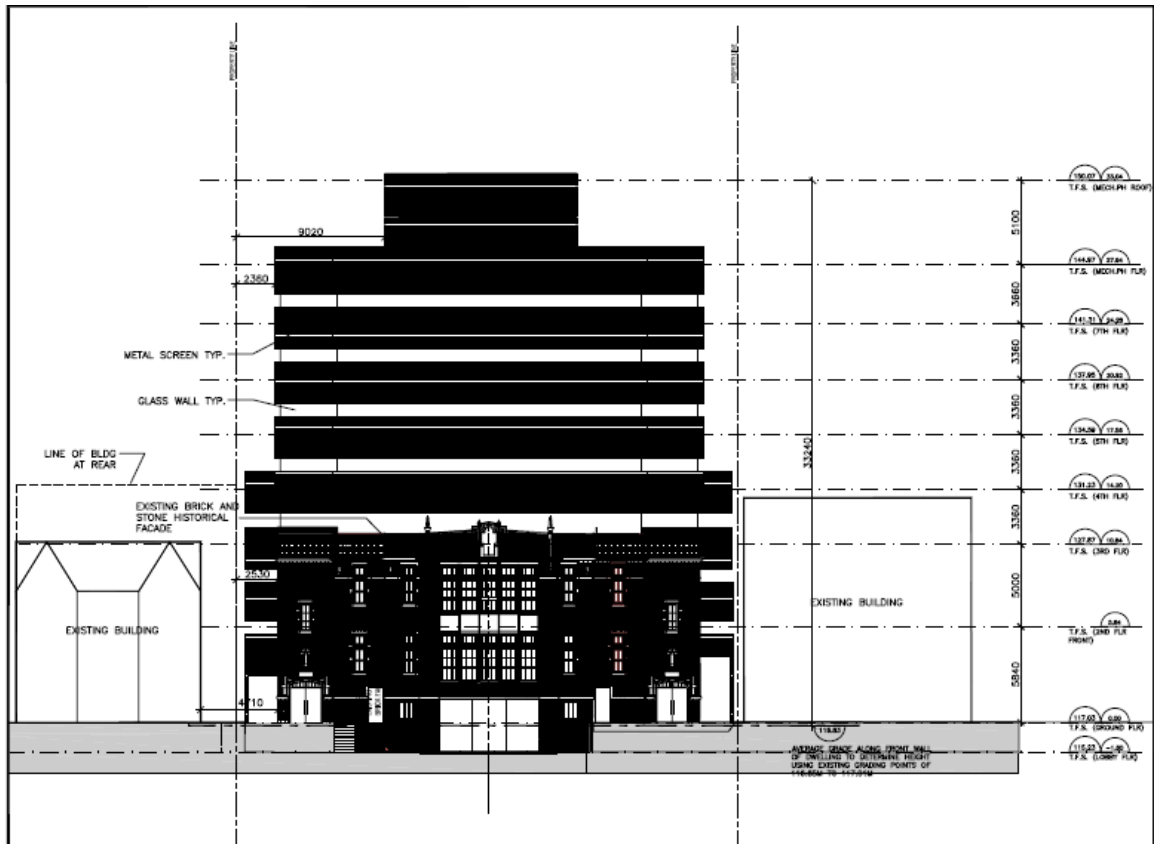




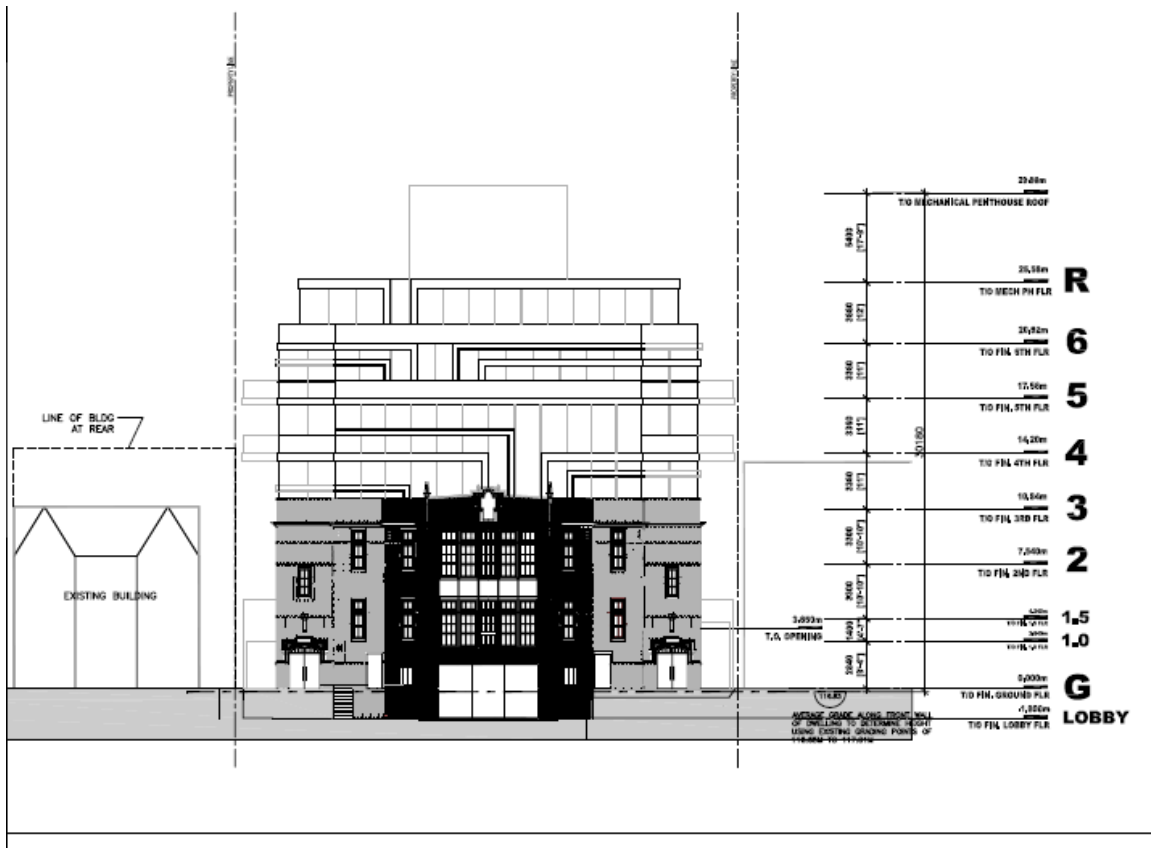
MASSING STUDY OF REVISED PROJECT: LOOKING NORTH TOWARDS THE  
SITE ALONG HAZELTON AVENUE ATTACHMENT NO. 5



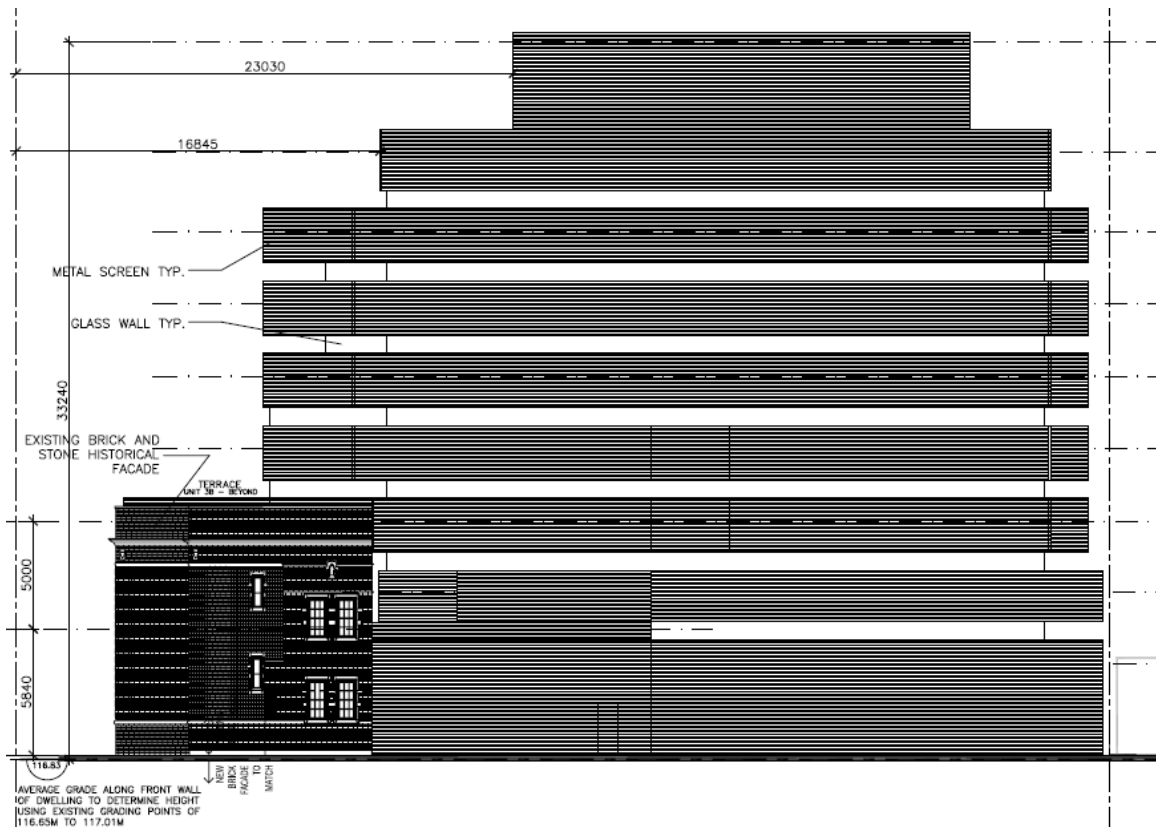
PREVIOUSLY REVIEWED PROJECT FRONT ELEVATION: 34-38 HAZELTON  
ATTACHMENT NO. 6



REVISED PROJECT FRONT ELEVATION: 34-38 HAZELTON ATTACHMENT  
NO. 7

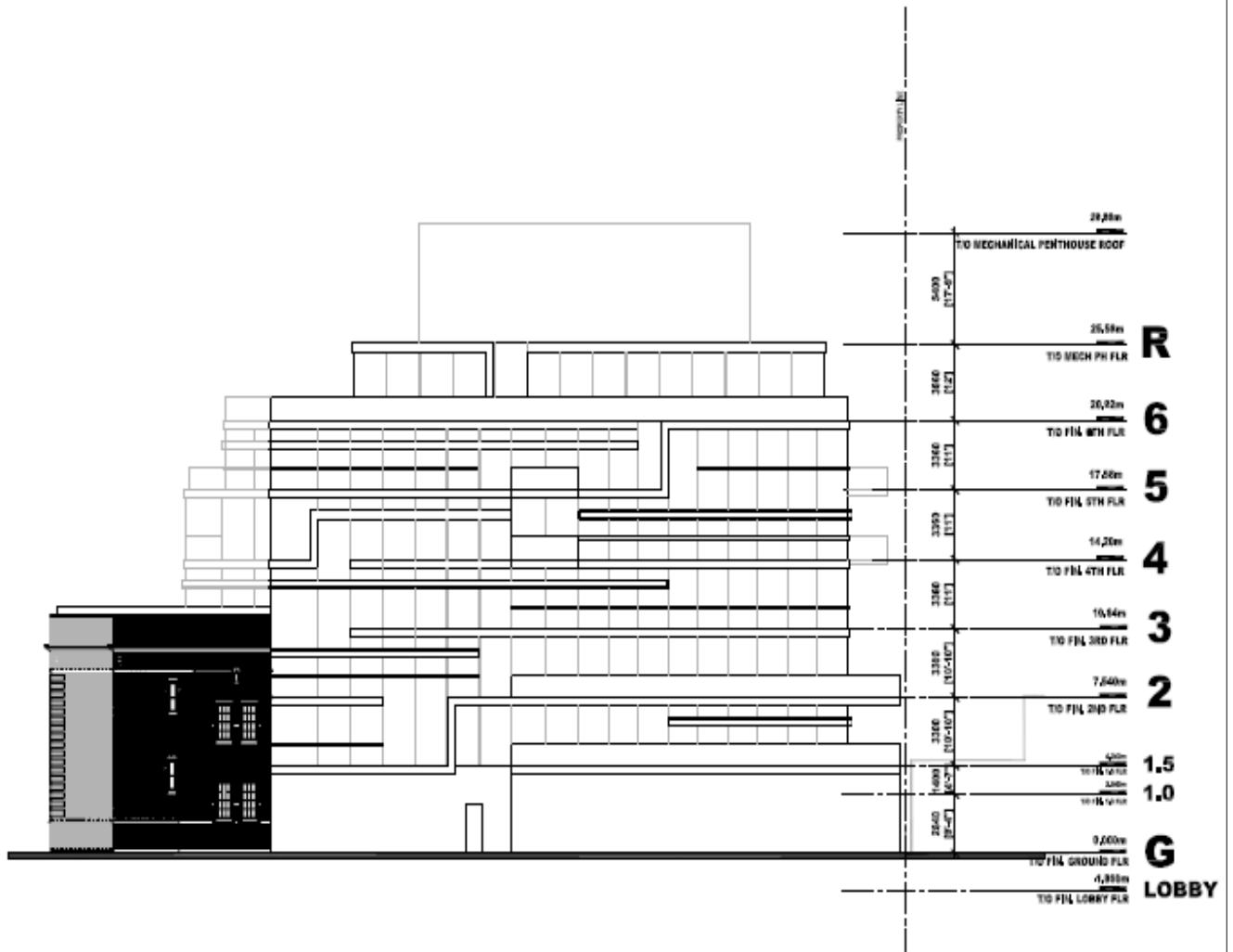


PREVIOUSLY REVIEWED PROJECT SIDE (NORTH ELEVATION): 34-38  
HAZELTON AVE ATTACHMENT NO. 8





REVISED PROJECT SIDE (NORTH ELEVATION): 34-38 HAZELTON AVE  
ATTACHMENT NO. 9



PREVIOUSLY REVIEWED PROJECT SECTION: 34-38 HAZELTON AVE  
ATTACHMENT NO. 10

